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April 10, 1997 LR 7

Since 1912, the people in this state have been, if you 1912. will, as they sometimes refer to themselves, the second house. They've had the ability to initiate laws. They've had the ability to initiate constitutional amendments. And they have had the ability to enact a referendum which basically looks at a law the Legislature has already passed and put it on the ballot to see if the people approve. The main reason I would say that we are here today is because of a case in 1988 out in the state...started out in the state of Colorado, Meyer v. Grant. And that case eventually went all the way to the Supreme Court. the issue was whether or not a state could outlaw paid circulators. And the United States Supreme Court said, no. The state cannot tell a petition drive that they cannot hire It's a freedom of speech issue. Up until that circulators. time, the state of Nebraska did have a law on the books that said that you could not pay circulators in petition drives. Also in 1988 or 1988, yes, there was a change to the Nebraska law that was initiated by the Legislature, actually it's a change to the constitution, and it was constitutional amendment 3A which changed the word "elector" to "registered voter" and that did pass in 1988. As a result of the Duggan decision in 1994 which was a decision which overturned a term limits proposal which had been approved, the Nebraska Supreme Court said that the number of signatures must be calculated based on the number of registered voters in the last gubernatorial election. The net effect of that was to almost double the number of signatures needed for a petition drive. In 1995, the Legislature advanced to Final Reading a combination of two different petition or two different constitutional amendments, one, 22CA introduced by myself which essentially is what you have before you today, LR 7CA, and a constitutional amendment introduced by Senator Dierks which lowered the number of signatures to I believe it was something around 58,000, Senator Dierks, if I'm not mistaken, but significantly lowered the number of signatures. We got tied up and the bill never was taken up on Final Reading and never advanced to the ballot. Meanwhile, in 1996 there was an amendment on the ballot that was initiated by petition that, and that was amendment 410, and that was a bill or a constitutional amendment which would have lowered the number of signatures for petition drives. voters turned that down 57 percent to 43 percent. And during this time and afterwards in January of 1997, the Attorney